

AMENDED IN SENATE SEPTEMBER 8, 1999
AMENDED IN SENATE SEPTEMBER 1, 1999
AMENDED IN SENATE AUGUST 16, 1999
AMENDED IN SENATE JUNE 30, 1999
AMENDED IN ASSEMBLY MAY 20, 1999
AMENDED IN ASSEMBLY MAY 17, 1999
AMENDED IN ASSEMBLY APRIL 29, 1999
AMENDED IN ASSEMBLY APRIL 26, 1999

CALIFORNIA LEGISLATURE—1999–2000 REGULAR SESSION

ASSEMBLY BILL

No. 1451

**Introduced by Assembly Members Thomson, Steinberg, and
Florez**
(Coauthor: Assembly Member Reyes)
(Coauthor: Senator Ortiz)

February 26, 1999

An act to amend Section 45023.4 of the Education Code,
relating to certificated employees.

LEGISLATIVE COUNSEL'S DIGEST

AB 1451, as amended, Thomson. Certificated employees:
teachers' salaries.

Under existing law, the governing board of each school
district is generally required to establish the compensation

paid to persons in public school service that require certification.

Existing law permits the governing board of a school district, the county superintendent of schools, or the county boards of education, in the 1999–2000 fiscal year, to increase the lowest salary on the salary schedule for a certificated employee that meets certain requirements by designating as the lowest salary on the salary schedule an amount equal to a minimum annual salary of \$32,000. Existing law requires the Superintendent of Public Instruction to make a prescribed calculation and to provide that amount in the second principal apportionment for each school district and county office of education that certifies that it has complied with these teacher salary requirements.

Under existing law, if such a salary change has costs to the school district or county office of education that are equal to or greater than the incentive received, school districts and county offices of education whose costs are less than the incentive received are required to use the remainder to increase the beginning salary by an amount above \$32,000 which fully applies the incentive received. Under existing law, each school district or county office of education that meets the teacher salary adjustment requirements of those provisions may adjust its revenue limit computed pursuant to certain provisions to reflect the amount received as an incentive.

This bill would instead provide that if such a salary change has costs to the school district or county office of education that are equal to or greater than the incentive received, the minimum salary would be required to be \$32,000 by the conclusion of the 2000–01 fiscal year, and the school district or county office of education would be required, for the 1999–2000 fiscal year, to provide for beginning salary cell increases of at least 50% of the total cost of implementing a minimum annual \$32,000 salary, and to allocate the entire incentive received for this purpose. The bill would revise the method of calculating that incentive, and would also revise the method by which each school district or county office of education that meets the teacher salary increase requirements of those provisions would be authorized to



calculate the adjustment to its revenue limit per unit of average daily attendance.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 45023.4 of the Education Code,
2 as added by Chapter 53 of the Statutes of 1999, is amended
3 to read:

4 ~~45023.4. (a) This section shall be known, and may be~~
5 45023.4. (a) This section shall be known, and may be
6 cited, as the Jack O'Connell Beginning-Teacher Salary
7 Incentive Program. Commencing in the 1999–2000 fiscal
8 year the governing board of a school district, the county
9 superintendent of schools, or the county board of
10 education may increase, for teachers who meet the
11 requirements of this subdivision, the salary on its adopted
12 certificated employee salary schedule as provided in
13 subdivision (b). Any school district that elects to meet the
14 requirements of this section shall be eligible to receive
15 the incentive amount provided by subdivision (c). For
16 purposes of this section, any teacher for whom the
17 governing board, county superintendent of schools, or
18 county board of education may increase salaries shall
19 meet all of the following criteria:

20 (1) Hold a valid California teaching credential, not
21 including an emergency permit, intern permit, or waiver.

22 (2) Possess a baccalaureate or higher degree.

23 (3) Receive a salary paid from the general fund of the
24 district or county office.

25 (b) The governing board, county superintendent of
26 schools, or county board of education that elects to
27 increase teachers' salaries as authorized pursuant to
28 subdivision (a) shall perform the following computations:

29 (1) The governing board, county superintendent of
30 schools, or county board of education shall designate as
31 the lowest salary on the salary schedule for a certificated
32 employee meeting or exceeding the criteria in
33 subdivision (a) an amount equal to a minimum annual

1 salary of thirty-two thousand dollars (\$32,000). If ~~such a~~
2 ~~this~~ salary change ~~has~~ *results in* costs to the school district
3 or county office of education that are equal to or greater
4 than the incentive received pursuant to subdivision (c),
5 *the minimum salary shall be thirty-two thousand dollars*
6 *(\$32,000) by the conclusion of the 2000–01 fiscal year, and*
7 *the school district or county office of education shall, for*
8 *the 1999–2000 fiscal year, provide for beginning salary cell*
9 *increases of at least 50 percent of the total cost of*
10 *implementing a minimum annual thirty-two thousand*
11 *dollar (\$32,000) salary, and shall allocate the entire*
12 *incentive received pursuant to subdivision (c) for this*
13 *purpose. If this salary change results in costs to the school*
14 *districts and or county offices of education—whose costs*
15 *that are less than the incentive received —shall use the*
16 *remainder shall be used to increase the beginning salary*
17 *by an amount above thirty-two thousand dollars (\$32,000)*
18 *which fully applies the incentive received.*

19 (2) The governing board, county superintendent of
20 schools, or county board of education shall increase to the
21 annual salary amount in paragraph (1) the salary of any
22 certificated employee meeting the criteria in subdivision
23 (a) whose salary on the salary schedule is less than the
24 amount computed in paragraph (1) and,
25 notwithstanding Section 45028, shall incorporate that
26 increase into the salary schedule.

27 (3) The newly adopted salary schedule shall contain
28 only one cell that meets the amount set forth in paragraph
29 (1), which most often is the first-year step of a salary
30 schedule column for certificated personnel who meet the
31 criteria set forth in subdivision (a). All other salary
32 schedule cells shall exceed the level set forth in paragraph
33 (1) for personnel that meet the criteria in subdivision (a).

34 (c) In the 1999–2000 fiscal year, the Superintendent of
35 Public Instruction shall divide the amount appropriated
36 for the purposes of this section by the ~~1999–2000~~ 1998–99
37 second principal apportionment average daily
38 attendance for *all* school districts and county offices of
39 education, ~~increased by an amount necessary to~~
40 ~~compensate for the deficit factor calculated pursuant to~~

1 ~~Sections 2558.45 and 42238.145. The result of this~~
 2 ~~calculation shall be made available in the 1999-2000~~
 3 ~~second principal apportionment to each in the state. Each~~
 4 school district and county office of education that certifies
 5 to the Superintendent of Public Instruction that it is in full
 6 compliance with this section *shall receive following that*
 7 *certification an amount equal to the results of the*
 8 *calculation multiplied by the participating school*
 9 *district's or county office's 1998-99 second principal*
 10 *apportionment average daily attendance.*

11 (d) Each school district or county office of education
 12 that meets the requirements of subdivision (b) may
 13 adjust its revenue limit computed pursuant to Section
 14 2550 or 42238 to reflect the amount received *pursuant to*
 15 *subdivision (c) for purposes of calculating revenue limits*
 16 *for the 2000-01 fiscal year and each fiscal year thereafter.*
 17 *This adjustment shall be increased by an amount*
 18 *necessary to compensate for the deficit factor calculated*
 19 *pursuant to Sections 2558.45 and 42238.145. To qualify for*
 20 *this revenue limit adjustment, school districts or county*
 21 *offices of education that received incentive funding in*
 22 *the 1999-2000 fiscal year pursuant to paragraph (1) of*
 23 *subdivision (b) and that did not implement a minimum*
 24 *annual salary of thirty-two thousand dollars (\$32,000) for*
 25 *the 1999-2000 fiscal year shall certify that the minimum*
 26 *annual salary for fully certificated teachers is at least*
 27 *thirty-two thousand dollars (\$32,000) for the 2000-01*
 28 *fiscal year.*

29 (e) The adjustment to the district's revenue limit
 30 prescribed in subdivision (d) shall continue so long as the
 31 increase in the salary schedule made pursuant to
 32 paragraph (2) of subdivision (b) is maintained.

33 (f) The adjustment made to school district or county
 34 office of education revenue limits pursuant to subdivision
 35 (d) shall not be considered part of the base revenue limit
 36 for the purpose of computing equalization adjustments or
 37 determining other wealth-related differences in school
 38 funding.

39 (g) This section does not prohibit a school district and
 40 its employees from negotiating salary schedules.

1 ~~cited, as the Jack O'Connell Beginning Teacher Salary~~
2 ~~Incentive Program. Commencing in the 1999-2000 fiscal~~
3 ~~year, the governing board of a school district, the county~~
4 ~~superintendent of schools, or the county board of~~
5 ~~education may increase, for teachers who meet the~~
6 ~~requirements of this subdivision, the salary on its adopted~~
7 ~~certificated employee salary schedule as provided in~~
8 ~~subdivision (b). Any school district that elects to meet the~~
9 ~~requirements of this section shall be eligible to receive~~
10 ~~the incentive amount provided by subdivision (c). For~~
11 ~~purposes of this section, any teacher for whom the~~
12 ~~governing board, county superintendent of schools, or~~
13 ~~county board of education may increase salaries shall~~
14 ~~meet all of the following criteria:~~

15 ~~(1) Hold a valid California teaching credential, not~~
16 ~~including an emergency permit, intern permit, or waiver.~~

17 ~~(2) Possess a baccalaureate or higher degree.~~

18 ~~(3) Receive a salary paid from the general fund of the~~
19 ~~district or county office.~~

20 ~~(b) The governing board, county superintendent of~~
21 ~~schools, or county board of education that elects to~~
22 ~~increase teachers' salaries as authorized pursuant to~~
23 ~~subdivision (a) shall perform the following computations:~~

24 ~~(1) The governing board, county superintendent of~~
25 ~~schools, or county board of education shall designate as~~
26 ~~the lowest salary on the salary schedule for a certificated~~
27 ~~employee meeting or exceeding the criteria in~~
28 ~~subdivision (a) an amount equal to a minimum annual~~
29 ~~salary of thirty-two thousand dollars (\$32,000). However,~~
30 ~~if such a salary change has costs to the school district or~~
31 ~~county office of education that are equal to or greater~~
32 ~~than the incentive received pursuant to subdivision (c),~~
33 ~~the minimum salary shall be thirty-two thousand dollars~~
34 ~~(\$32,000) by the conclusion of the 2000-01 fiscal year, and~~
35 ~~the school district or county office of education shall, for~~
36 ~~the 1999-2000 fiscal year, provide for beginning salary cell~~
37 ~~increases of at least 50 percent of the total cost of~~
38 ~~implementing a minimum annual thirty-two thousand~~
39 ~~dollar (\$32,000) salary, and shall allocate the entire~~
40 ~~incentive received pursuant to subdivision (c) for this~~

1 purpose. However, if such a salary increase has costs to
2 the school districts or county offices of education that are
3 less than the incentive received, the remainder shall be
4 used to increase the beginning salary by an amount above
5 thirty-two thousand dollars (\$32,000).

6 (2) The governing board, county superintendent of
7 schools, or county board of education shall increase to the
8 annual salary amount in paragraph (1) the salary of any
9 certificated employee meeting the criteria in subdivision
10 (a) whose salary on the salary schedule is less than the
11 amount computed in paragraph (1) and,
12 notwithstanding Section 45028, shall incorporate that
13 increase into the salary schedule.

14 (3) The newly adopted salary schedule shall contain
15 only one cell that meets the amount set forth in paragraph
16 (1), which most often is the first-year step of a salary
17 schedule column for certificated personnel who meet the
18 criteria set forth in subdivision (a). All other salary
19 schedule cells shall exceed the level set forth in paragraph
20 (1) for personnel that meet the criteria in subdivision (a).

21 (c) In the 1999-2000 fiscal year, the Superintendent of
22 Public Instruction shall divide the amount appropriated
23 for the purposes of this section by the 1998-99 second
24 principal apportionment average daily attendance for all
25 school districts and county offices of education. Each
26 school district and county office of education that certifies
27 to the Superintendent of Public Instruction that it is in full
28 compliance with this section shall receive, upon
29 certification, an amount equal to the results of this
30 calculation multiplied by the participating school
31 district's or county office of education's 1998-99 second
32 principal apportionment average daily attendance.

33 (d) Each school district or county office of education
34 that meets the requirements of subdivision (b) may
35 adjust its revenue limit per unit of average daily
36 attendance computed pursuant to Section 2550 or 42238
37 to reflect the amount received pursuant to subdivision
38 (c) for purposes of calculating revenue limits for the
39 2000-01 fiscal year and each fiscal year thereafter. This
40 adjustment shall be increased by an amount necessary to

1 ~~compensate for the deficit factor calculated pursuant to~~
2 ~~Sections 2558.45 and 42238.145. To qualify for this revenue~~
3 ~~limit adjustment, school districts or county offices of~~
4 ~~education that received incentive funding in the~~
5 ~~1999-2000 fiscal year pursuant to paragraph (1) of~~
6 ~~subdivision (b) and that did not implement a minimum~~
7 ~~annual salary of thirty-two thousand dollars (\$32,000) for~~
8 ~~the 1999-2000 fiscal year shall certify that the minimum~~
9 ~~annual salary for fully certificated teachers is at least~~
10 ~~thirty-two thousand dollars (\$32,000) for the 2000-01~~
11 ~~fiscal year.~~

12 ~~(e) The adjustment to the district's revenue limit~~
13 ~~prescribed in subdivision (d) shall continue so long as the~~
14 ~~increase in the salary schedule made pursuant to~~
15 ~~paragraph (2) of subdivision (b) is maintained.~~

16 ~~(f) The adjustment made to school district or county~~
17 ~~office of education revenue limits pursuant to subdivision~~
18 ~~(d) shall not be considered part of the base revenue limit~~
19 ~~for the purpose of computing equalization adjustments or~~
20 ~~determining other wealth-related differences in school~~
21 ~~funding.~~

22 ~~(g) This section does not prohibit a school district and~~
23 ~~its employees from negotiating salary schedules.~~

24 _____
25 CORRECTIONS

26 **Heading — Authors—Line 1.**

27 _____
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